



Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D.C. 20554

CGB

February 21, 2019

Jessie Gomez
MuckRock News
Dept MR 66842
411A Highland Ave.
Somerville, MA 02144

66842-28007733@requests.muckrock.com

FOIA No. 2019-167

Dear Mr. Gomez:

This letter responds to your recent Freedom of Information Act ("FOIA") request received by the Federal Communications Commission (FCC or Commission) and assigned to the Consumer & Governmental Affairs ("CGB") and Enforcement ("EB") Bureaus. Your request seeks complaints about the VH1 television show "RuPaul's Drag Race All Stars" season 4 episode 2, which aired on December 21, 2018. Your request was assigned FOIA Control No. 2019-167. We are responding to your request electronically.

CGB conducted a search of the databases in which we maintain the records of informal complaints filed by, or on behalf of, consumers. Our search did not reveal any complaints responsive to your request. EB informed CGB that a search of its records did not identify any responsive records.

FOIA and FCC rules require the FCC to charge requesters for time spent searching for and reviewing responsive documents, and for copying them. Pursuant to section 0.466(a)(5)-(7) of the Commission's rules, you have been classified as category (2), "educational requesters, non-commercial scientific organizations, or representatives of the news media."¹ As an "educational requester, non-commercial scientific organization, or representative of the news media," the Commission assesses charges to recover the cost of reproducing the records requested, excluding the cost of reproducing the first 100 pages. Because preparing the response to your request falls within these limits, the FCC is not charging you for processing it.

¹ 47 CFR § 0.466(a)(5)-(7).

If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be *received* by the Commission within 90 calendar days of the date of this letter.² You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12th St SW, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as “Review of Freedom of Information Action” and the application should refer to FOIA No. 2019-167.

If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission’s FOIA Public Liaison for assistance at:

FOIA Public Liaison
FCC, Office of the Managing Director,
Performance Evaluation and Records Management
445 12th St SW,
Washington, DC 20554
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission’s FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman’s Office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

² 47 CFR §§ 0.461(j), 1.115; 47 CFR § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
ogis.archives.gov

/s/ Kristi Thornton for
Sincerely,



Nancy Stevenson
Deputy Chief
Consumer Policy Division
Consumer & Governmental Affairs Bureau